

Docket No.: BECKER-5  
Appl. No.: 09/486,021

### REMARKS

The last Office Action of April 4, 2003 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1 and 3-28 are pending in the application. Claims 1, 3, 15, 16, 17, 19, 23, 25 have been amended. No claims have been canceled or added. The Commissioner is hereby authorized to charge the fee of \$42.00 for presenting one further independent claim in excess of three to Deposit Account No. 06-0502.

It is noted that claims 15 and 17-26 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 3-11, 16 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,595,799 to Beck et al..

It is noted with appreciation that claims 12-14 and 27 are allowed.

### REJECTION OF CLAIMS 15 AND 17-26 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Applicant has amended claims 15, 17, 23 and 25 to address the §112 rejection. These changes are basically self-explanatory so that a detailed discussion is not necessary. Only with respect to claim 15, applicant wishes to

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note that this claim has now been drafted to provide proper relationship between the various claim elements.

Withdrawal of the rejection of the claims 15 and 17-26 under 35 U.S.C. §112, second paragraph is thus respectfully requested.

**REJECTION OF CLAIMS 1, 3-11, 16 AND 28 UNDER 35 U.S.C. §103(a) AS  
BEING UNPATENTABLE OVER BECK ET AL**

In order to clearly set forth the features of the present invention and to distinguish the present invention from the Beck et al. reference., applicant has amended claim 1 by clarifying that the injection molding process is executed in such a way that the at least two plasticized materials are received together in the main extruder **before** being injected sequentially into the injection mold. In this context, applicant refers in particular to Figs. 1 and 2 with accompanying description on pages 18 to 20 of the instant specification. Thus, the injection molding process is carried out by using a main extruder which produces plasticized material and further receives material from a secondary extruder, whereby the contained materials in the main extruder are lined up in side-by-side relationship, as shown in Fig. 2, so as to be injected into the injection mold sequentially.

The Beck et al. reference described an injection molding process in which two separate extruder barrels (25, 27) are used to supply two different materials (30, 32) to a common material inlet (33) for subsequent conduction to

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various cavities. In contrast thereto, in the present invention the different materials are received in a single main extruder and from there are sequentially transferred to a cavity of an injection mold.

Claim 3 has been rewritten in independent form and expressly sets forth i.a. the formation of the shoulder by a wall surface of the hollow. In this way, the edge of the first plasticized material can be precisely defined, as the first plasticized material extends upon injection to this shoulder which ensures a defined boundary between both plasticized materials. The provision of a shoulder, formed by a wall surface of the hollow, is neither taught nor suggested by the Beck et al. reference, as the Examiner also readily acknowledged, when he noted that "[T]he first material of Beck et al. forms a shoulder in the hollow". Please note also the boundary line (70) in Fig. 8 of Beck et al. in this context.

Claim 16 has been amended to clearly set forth the **direct** connection between a melt compartment of an injection unit and two extruders. Reference is made to Fig. 21 and accompanying description in the paragraph bridging pages 27 and 28 of the instant specification. Thus, the different materials are received together in a melt compartment before being injected into the injection mold.

For the reasons set forth above, it is applicant's contention that Beck et al. neither teaches nor suggests the features of the present invention, as recited in claims 1, 3, 15, 16, 17, 23 and 25.

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As for the rejection of the retained dependent claims, these claims depend on claims 1, 17, 23 and 25, share their presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of claims 1, 3-28 are thus respectfully requested.

#### **CLARIFICATION AMENDMENT**

Claim 19 has been amended to remove the reference to "preferably". This amendment is "cosmetic" to conform to formal requirements imposed by the U.S. Patent and Trademark Office.

#### **CONCLUSION**

Applicant believes that when the Examiner reconsiders the claims in the light of the above comments, he will agree that the invention is in no way properly met or anticipated or even suggested by any of the references however they are considered.

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

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Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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